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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL GARCIA,

Defendant.

CASE NO. 2:20-cr-00181-JAM-1

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER**

DATE: October 22, 2024
TIME: 9:00 a.m.
COURT: Hon. John A. Mendez

STIPULATION

1. By previous order, this matter was set for status on October 22, 2024. ECF No. 160.
2. By this stipulation, defendant now moves to continue the status conference until **November 12, 2024, at 9:00 a.m.**, and to exclude time between October 22, 2024, and November 12, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes over 50 gigabytes of evidence in electronic form, including multiple hours of covert recordings, pictures, investigative reports, and related documents. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.
 - b) Counsel for defendant requires additional time to review the discovery,

1 investigate any possible defenses, research potential pretrial motions, explore potential
2 resolutions to the case, and otherwise prepare for trial. The parties expect to resolve this case by
3 change of plea at the next status hearing. Counsel for defendant has indicated that he needs
4 additional time to prepare, including because he is currently in Pennsylvania for work on another
5 case.

6 c) Counsel for defendant believes that failure to grant the above-requested
7 continuance would deny him the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendant in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 et seq., within which trial must commence, the time period of October 22, 2024 to November 12,
15 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
16 T4] because it results from a continuance granted by the Court at defendant's request on the basis
17 of the Court's finding that the ends of justice served by taking such action outweigh the best
18 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 16, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ ADRIAN T. KINSELLA
ADRIAN T. KINSELLA
Assistant United States Attorney

Dated: October 16, 2024

/s/ HOOTAN BAIGMOHAMMADI
HOOTAN BAIGMOHAMMADI
Counsel for Defendant
MICHAEL GARCIA

ORDER

IT IS SO FOUND AND ORDERED.

Dated: October 16, 2024

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE